107TH CONGRESS 1ST SESSION

H. R. 1174

To direct the Secretary of the Interior to dispose of all public lands administered by the Bureau of Land Management that have been identified for disposal under the Federal land use planning process.

IN THE HOUSE OF REPRESENTATIVES

March 22, 2001

Mr. Duncan introduced the following bill; which was referred to the Committee on Resources

A BILL

- To direct the Secretary of the Interior to dispose of all public lands administered by the Bureau of Land Management that have been identified for disposal under the Federal land use planning process.
 - 1 Be it enacted by the Senate and House of Representa-
 - 2 tives of the United States of America in Congress assembled,
 - 3 SECTION 1. SHORT TITLE.
 - 4 This Act may be cited as the "Federal Lands Im-
 - 5 provement Act of 2001".
 - 6 SEC. 2. PUBLIC LANDS DISPOSAL REQUIREMENT.
 - 7 (a) Disposal Requirement.—

- (1) IN GENERAL.—Not later than 7 years after 1 2 the date of the enactment of this Act, and subject 3 to paragraphs (2), (3), and (4), the Secretary of the Interior shall dispose of all right, title, and interest 5 of the United States in and to all public lands ad-6 ministered by the Bureau of Land Management 7 that, as of the date of the enactment of this Act, 8 have been identified for disposal under the land use 9 planning process under section 203 of the Federal 10 Land Policy and Management Act of 1976 (43) 11 U.S.C. 1713).
 - (2) MILESTONES.—Of the lands referred to in paragraph (1), the Secretary shall dispose of—
 - (A) at least ½ before the end of the 3-year period beginning on the date of the enactment of this Act; and
 - (B) at least ½ before the end of the 5-year period beginning on such date.
 - (3) RETENTION OF WILDERNESS LANDS.—The Secretary shall not under this section dispose of any lands located in any wilderness area or wilderness study area.
- 24 (4) Net cost limitation.—The Secretary 24 shall not under this section dispose of a parcel of 25 land if cost to the United States of the disposal ex-

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1	ceeds the amount that would be received by the
2	United States for the parcel.
3	(b) Manner of Disposal.—The Secretary shall dis-
4	pose of public lands under this section—
5	(1) in accordance with the procedures that
6	apply under subsection (f) of section 203 of the Fed-
7	eral Land Policy and Management Act of 1976 (43
8	U.S.C. 1713(f)) to sales of public lands under that
9	section; and
10	(2) in parcels of 160 acres or less.
11	(c) Determination of Lands for Disposal.—
12	The Secretary may determine the public lands to be dis-
13	posed of under this section.
14	(d) Use of Proceeds.—Of amounts received by the
15	United States as proceeds of disposals of public lands
16	under this section—
17	(1) 1/3 shall be deposited in the account estab-
18	lished by subsection (e);
19	(2) 1/3 shall be paid to the county in which the
20	lands are located for use by the county for any pur-
21	pose, which may include education, transportation
22	and infrastructure, or preservation of open spaces;
23	and
24	(3) $\frac{1}{3}$ shall be deposited in the general fund of
25	the Treasury and utilized to reduce the public debt.

1	(e) Special Account.—
2	(1) ESTABLISHMENT.—There is established in
3	the Treasury of the United States a separate ac-
4	count to be used in carrying out this section.
5	(2) Contents.—The account shall consist of—
6	(A) amounts deposited in the account
7	under subsection (d); and
8	(B) interest added to the account under
9	paragraph (4) of this subsection.
10	(3) Use.—
11	(A) In General.—Amounts in the ac-
12	count shall be available to the Secretary until
13	expended, without further appropriation, to
14	pay—
15	(i) subject to subparagraph (B), costs
16	incurred by the Bureau of Land Manage-
17	ment in arranging disposals of public lands
18	under this section, including the costs of
19	land boundary surveys, compliance with
20	the National Environmental Policy Act of
21	1969 (42 U.S.C. 4321 et seq.), appraisals,
22	environmental and cultural clearances, and
23	public notice;
24	(ii) the cost of acquisition from a will-
25	ing seller of environmentally sensitive land

1	or interests in such land in States in which
2	are located public lands disposed of under
3	this section;
4	(iii) the cost of carrying out any nec-
5	essary revision or amendment of a current
6	land use plan of the Bureau of Land Man-
7	agement that relates to public lands dis-
8	posed of under this section;
9	(iv) the cost of projects or programs
10	to restore or protect wetlands, riparian
11	areas, or cultural, historic, prehistoric, or
12	paleontological resources on public lands,
13	including petroglyphs; and
14	(v) the cost of projects, programs, or
15	land acquisition to stabilize or restore
16	water quality for water located or used on
17	public lands.
18	(B) Limitations.—
19	(i) Costs in arranging land dis-
20	POSALS.—Costs charged against the ac-
21	count for the purposes described in sub-
22	paragraph (A)(i) shall not exceed the min-
23	imum amount practicable in view of the
24	fair market value of the public lands dis-
25	posed of.

1	(ii) Acquisition.—Not more than 50
2	percent of the amounts deposited in the ac-
3	count in any fiscal year may be used in
4	that fiscal year or any subsequent fiscal
5	year for the purpose described in subpara-
6	graph (A)(ii).
7	(C) Plan revisions and amend-
8	MENTS.—The process of revising or amending a
9	land use plan shall not cause delay or postpone-
10	ment in the implementation of this section.
11	(f) Annual Report.—Not later than October 31 of
12	each year, the Secretary shall report to the Congress de-
13	scribing in detail the use under subsection (d) during the
14	preceding fiscal year of proceeds of disposals of public
15	lands under this section, including the expenditures in
16	that fiscal year of amounts made available under sub-
17	section (e).
18	(g) Definitions.—In this section:
19	(1) Public lands.—The term "public lands"
20	has the meaning that term has under section 103(e)
21	of the Federal Land Policy and Management Act of
22	1976 (43 U.S.C. 1702(e)).
23	(2) Secretary.—The term "Secretary" means
24	the Secretary of the Interior.